

**IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
v.	)	<b>CR. NO. <u>2:05-cr-00250-MHT-DRB</u></b>
	)	
<b>GORMAN &amp; ASSOCIATES, L.L.C.</b>	)	

**JOINT MOTION FOR APPROVAL OF DEFERRED PROSECUTION  
AGREEMENT AND EXCLUSION OF TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America and Defendant Gorman & Associates, L.L.C. (hereinafter referred to as "Gorman LLC"), by their respective attorneys, jointly move this Court for the entry of an Order approving the attached Deferred Prosecution Agreement and for the exclusion of a twelve (12) month period in computing the time within which any trial must be commenced upon the charge contained in the Information filed against Gorman LLC, pursuant to Title 18, United States Code, Section 3161(h)(2) of the Speedy Trial Act.

1. On June 30, 2005, the United States and Gorman LLC entered into a Deferred Prosecution Agreement, a true, correct and complete copy of which is attached hereto and incorporated by reference herein as Exhibit 1 (hereinafter, "the Agreement").
2. In paragraph 1 of the Agreement, Gorman LLC waived indictment and agreed to the filing of an Information charging it with making false statements to the United States in violation of 18 U.S.C. § 1001(a).
3. Gorman LLC hereby agrees to waive and does hereby expressly waive any and all rights to a speedy trial pursuant to the Sixth Amendment of the United States Constitution, Title 18, United States Code, Section 3161, Federal Rule of Criminal

Procedure 48(b), and any applicable Local Rules of the United States District Court for the Middle District of Alabama for the period that the Agreement is in effect.

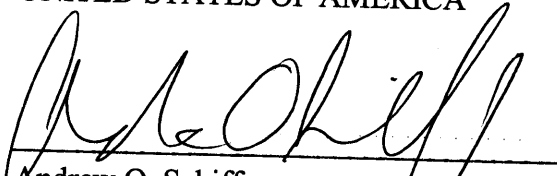
4. The United States has agreed that if Gorman LLC is in full compliance with its obligations under the Agreement, the United States, within thirty (30) days of the expiration of the time period set forth in Paragraph 6 of the Agreement, will move this Court for dismissal with prejudice of the Information filed against Gorman LLC.

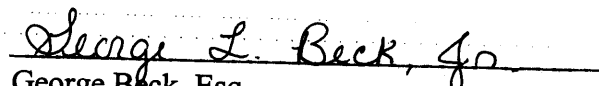
WHEREFORE, the United States and Gorman LLC respectfully request that this Honorable Court enter an Order approving the Agreement and excluding a twelve (12) month period in computing the time within which any trial must be commenced upon the charge contained in the Information filed against Gorman LLC pursuant to Title 18, United States Code, Section 3161(h)(2) of the Speedy Trial Act. A proposed Order is attached as Exhibit 2 for the convenience of the Court.

DATED this the 21 of October, 2005.

Respectfully submitted,

UNITED STATES OF AMERICA

  
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Andrew O. Schiff  
Assistant United States Attorney

  
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George Beck, Esq.  
Counsel for Gorman & Associates, L.L.C.